

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JILL ANTONELLA-TAYLOR, LINDA  
ASBURY, KAREN MCCOY, and  
CHRISTINE MOTTO,

No. 2:21-cv-895

*Electronically filed*

Plaintiffs,

v.

THE CATHOLIC CEMETERIES  
ASSOCIATION OF THE DIOCESE OF  
PITTSBURGH,

Defendant.

**NOTICE OF REMOVAL**

AND NOW, come the Defendant, The Catholic Cemeteries Association of the Diocese of Pittsburgh, by and through its undersigned attorneys, Zimmer Kunz PLLC, and files the following Notice of Removal of the above-captioned action to the United States District Court for the Western District of Pennsylvania from the Court of Common Pleas of Allegheny County, Pennsylvania pursuant to 28 U.S.C. § 1441, *et seq.* and, in support thereof, aver as follows:

1. Attached and marked as collective Exhibit “1” are the filings made in the Court of Common Pleas of Allegheny County in accordance with 28 U.S.C. § 1446(a), as follows:
  - a. Plaintiffs’ Praecipe for Writ of Summons;
  - b. Defendants’ Praecipe for Rule to File Complaint;
  - c. Plaintiffs’ Complaint in Civil Action; and
  - d. Defendant’s Praecipe for Appearance.

2. On January 22, 2021, Plaintiffs Jill Antonella-Taylor, Linda Asbury, Karen McCoy and Christine Motto filed a Praecipe for Writ of Summons in the Court of Common Pleas of Allegheny County, Pennsylvania, which was docketed at GD 21–000690.

3. The Praecipe for Writ of Summons named the Defendants, The Catholic Cemeteries Association of the Diocese of Pittsburgh, The Catholic Parish Cemeteries Association of the Diocese of Pittsburgh, and The Catholic Diocese of Pittsburgh.

4. On May 27, 2021, Defendants filed a Praecipe for Rule to File Complaint against the Plaintiffs.

5. On July 1, 2021, Plaintiffs filed their Complaint with the Court of Common Pleas of Allegheny County, Pennsylvania.

6. The Complaint was only filed against Defendant, The Catholic Cemeteries Association of the Diocese of Pittsburgh.

7. In Plaintiffs' two Count Complaint, Plaintiffs allege claims against Defendant, The Catholic Cemeteries Association of the Diocese of Pittsburgh under the Age Discrimination in Employment Act of 1967 (Count 1) and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, as amended (Count Two).

8. Because this suit alleges violation of the federal Age Discrimination in Employment Act and federal Title VII claims, this District Court has original jurisdiction of this matter in accordance with 28 U.S.C. § 1331 (federal question jurisdiction).

9. Removal from the State Court to the United States District Court for the Western District of Pennsylvania is therefore permissible pursuant to 28 U.S.C. § 1441(a).

10. All parties will receive written notice of the filing of this removal as required by 28 U.S.C. § 1446(d).

11. Notice of this removal is provided to the Department of Court Records of the Court of Common Pleas of Allegheny County, Pennsylvania. A true and correct copy of this proposed Notice is attached hereto as Exhibit "2".

WHEREFORE, Defendant, The Catholic Cemeteries Association of the Diocese of Pittsburgh provides this notice that the action is being hereby removed to the United States District Court for the Western District of Pennsylvania.

**A JURY TRIAL IS DEMANDED OF 12 JURORS IN THIS MATTER BY DEFENDANTS**

Respectfully submitted,

ZIMMER KUNZ, PLLC

By: /s/ Gregory C. Scheuring

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 12<sup>th</sup> day of July, 2021, served a true and correct copy of the foregoing Notice of Removal on the following counsel of record via US first class mail and E-Mail:

D. Scott Lautner, Esquire  
68 Old Clairton Road  
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(Attorney for Plaintiffs)

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